THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.2043 of 2006

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DATED: 03-02-2006

Between:

S.Babu Raju . . .Petitioner

And

The Vice-Chancellor, AU,

Visakhapatnam, and another . . .Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.2043 of 2006

O R D E R:

The petitioner was appointed as Record Assistant in the Andhra University on daily wage basis, on 25-09-2003. He was served with the proceedings, dated 20-06-2005, issued by the Joint Registrar, Andhra University, Visakhapatnam, which are to the effect that his services are temporarily discontinued with effect from the date of his arrest i.e.

17-06-2005, pending enquiry into the charges framed against him. The petitioner states that though more than six months have elapsed, there is no

progress in the matter and no charges have been framed against him as yet. He seeks appropriate directions in this regard.

Heard the learned counsel for the petitioner and learned Standing Counsel appearing for the respondents.

The petitioner is working as Record Assistant on daily wage basis. He was arrested on 17-06-2005 by the Inspector of Police, III Town Crime Police Station, Visakhapatnam City, on the ground that some fake certificates were recovered from his house. Having regard to the seriousness of the matter, the University decided to suspend the petitioner, pending enquiry. Because the petitioner was still on daily wage basis, he had to be discontinued temporarily. As of now, it is not known whether any charge sheet has been filed. Inasmuch as the alleged irregularities committed by the petitioner, were noticed by the Police, the University is naturally, handicapped in the matter of framing of the charges. It had to depend upon the information that is to be furnished by the police, even for the purpose of framing of charges in the departmental proceedings. The matter cannot be kept pending indefinitely. If there is any obstacle for the University in the matter of framing of charges, the same needs to be informed to the petitioner.

For the foregoing reasons, the writ petition is disposed of, directing the University to frame charges against the petitioner and to proceed with the matter and in case the University finds any defect in framing the charges, it shall pass a reasoned order and communicate the same to the petitioner, within a period of two months from the date of receipt of a copy of this order.

There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

3rd FEBRUARY, 2006.

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